

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
(Under the Electricity Act, 2003)
PUDUCHERRY

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
LICENSEE MEMBER

THIRU R. KRISHNAMURTHY, B.Com., LLB., PGDFL.,
JERC NOMINATED MEMBER

WEDNESDAY, THE 4TH DAY OF JANUARY 2023

CONSUMER CASE No.184/2022

N. Vadivel,
LIG 218, Housing Board,
Kurumbapet,
Puducherry – 605009.

....
Vs.

Complainant

- 1) The Executive Engineer, Rural (North)O&M,
Electricity Department,
Puducherry
- 2) The Assistant Engineer –Kurumbapet, O&M,
Electricity Department,
Puducherry.
- 3) The Junior Accounts Officer-Rev-II,
Electricity Department,
Puducherry.
- 4) The Junior Engineer-Mutharaiyarpalayam,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.184/2022 came up before this Forum for final hearing on 22/12/2022. After hearing both sides and having stood over till this date for consideration this Forum has delivered the following:

The case of the Complainant is as follows:

1. A Complaint was received from N. Vadivel on 23/11/2022. In the complaint, the Complainant had stated that bills are issued once in two months in the year 2020 and gave a letter to the Department, but there was no reply. After that, in the year 2021 bills were issued are om two months and in the year 2022 also the same situation prevails in the month of August. Bills were issued for August 2022 and September 2022 and average consumption was claimed. When approached for making payment at the counter, the staff refused to accept as the amount was not updated. For the deficiency of the Department the Complainant had to remit Belated Payment Surcharge. Presently, for the bill received on 09/11/2022 the last date was given as 14/11/2022. When approached the office for making the payment, the higher authorities in the Department assured that no BPSC will be levied. The Complainant enclosed bills and receipt copies in respect of the policies (1) 26-17-02-0194 (2) 26-17-02-0194B (3) 26-17-02-0194C. He had stated that excess amount of Rs.12/- had been collected eventhough the payment was made in time. Further, for the bill received and receipt issued on making payment for the above services, the figures differs. Therefore, the Complainant prays this Forum to issue necessary directions to the Respondents to ascertain who committed the mistake in wrong billing and also refund the excess amount paid by him. Hence, the Complaint.

2. The complaint was registered as C.C. No.184/2022 on 24/11/2022 and copy of the complaint was sent to the Executive Engineer, Rural-North O&M and others to furnish reply by 05/12/2022. Reply received from the Respondent No.2 on 08/12/2022 and from the Junior Accounts Officer-Rev.II on 05/12/2022. A copy of the same was communicated to the Complainant. The case was posted for hearing on 22/12/2022.

3. In the Affidavit dated 02/12/2022, the Assistant Engineer, Kurumbapet/ Respondent No.2 for himself and on behalf of Respondent No.1 and 4 had stated that, the Department is mostly intend to deliver the current consumption bills regularly to the consumers. However, due to existence of pandemic disease of COVID-19, taking of

reading and delivery of current consumption bills to the consumer in all over Puducherry was stopped from March 2020 to July 2020. As there was staff union strike protesting to move of Privatization of Electricity Department, the reading for the month of August 2022 was not taken up. Therefore, bimonthly bill for the month of August and September 2022 was issued to the consumers. The Complainant came in person and made complaint to the Superintending Engineer O&M, Puducherry that BPSC Rs.12/-, Rs.11/- and Rs.64/- were claimed for the policy code (1) 26-17-02-0194 (2) 26-17-02-0194B (3) 26-17-02-0194C respectively, eventhough the bills are not served for the month of August 2022. The Revenue section was requested to arrange to delete the BPSC for the service connections above. The Revenue section has made necessary arrangement and deleted the BPSC and made entry. However, the entries has been updated in the computer for all the service connections except that the service connection bearing No. 26-17-02-0194. The Complainant had inadvertently paid the current consumption charges amount including the BPSC charges of Rs.12/- for the service connection bearing policy code No. 26-17-02-0194 as per the entry updated in the computer. The Complainant have come to know from the mismatching amount of current consumption and receipt that the BPSC amount of Rs.12/- is not deleted. Therefore, the Revenue section was requested orally to delete the BPSC amount of Rs.12/- in respect of Policy code No. 26-17-02-0194. As per the JERC Electricity Supply Code Regulation 2018 Clause 7.7, all the information about billing details such as Surcharge, Fixed Surcharge, BPSC, Service charges, total and current month charges shall be given in the bill itself and not in the receipt.

4. In the Affidavit dated 02/12/2022, the Junior Accounts Officer Rev-II / Respondent No.3 had stated that as COVID 19 situation prevailed in UT of Puducherry, current consumption bills were not served to the consumers for the month of March 2020 to July 2020. As such current consumption in respect of the respective services were calculated based on the monthly average units consumption for the month from

March 2020 to July 2020. The pre-printed current consumption monthly bills are being prepared and printed in the Computer section of the Department. The respective bills are being collected by the Revenue-II Section on the bill date / next date to the bill date and kept ready on the same day for collection by the concerned Meter Readers of the O&Ms to serve to the consumers on reading the meter. Hence there was no delay on the part of the Revenue-II Section in serving the bill to the Complainant. The break-up calculation for the current consumption charges claimed for the billing month of September 2022 in respect of the said three electrical services are furnished. As per the calculation there is no dispute in the current consumption charges claimed by the Department in respect of the said three bills. In terms of JERC Electricity Supply Code Regulations 2018, 7.7, 7.8 prescribed and relevant information have been printed on the bill, being served to the consumers by the Respondent Department being the Licensee. In terms of Regulation 7.36 Receipts with the relevant information are being given to the consumer for payment of bills made in person.

5. Hearing was held on 22/12/2022. Both the Complainant and Respondents were present. Respondent No.3 had given working sheet for the above 3 policies in which arrears of Rs.15/-, Rs.9/- and Rs.8/- are given. During the hearing the Complainant had given Rejoinder to his original complaint. He has enclosed two months bill claimed by the Department with reading communicated as DL and bill issued after due date. He has requested to return the penalty which had been claimed for the mistake of the Department. The Respondents were enquired about the discrepancy in the working sheet furnished by the Respondent No.3. It has been stated that there is difference between manual working and amount claimed by the system. The Respondent No.3 was not in a position to explain why the difference occurred. The Respondent No.3 had been directed to furnish additional Affidavit.

6. As directed by this Forum, the Respondent No.3 has filed additional Affidavit on 29/12/2022 wherein it has been stated that the excess amount of RS.12/- shall be adjusted in the subsequent month.

Observation: Irregularities has been prevailing in most of the places of the Licensee and every time the Respondents state due to COVID and other administrative reasons, bills are being raised once in two months. The Respondents issued press notification for making payment based on average basis. Further the derailment on issue of bills in time created unnecessary stress on the consumers who are regular in payment. The Respondents should take effective steps to issue bills in time, such that the duration for making payment is atleast 15 days is ensured from the date of issue of bill to the due date given in the bill.

ORDER

- i. The Respondents are directed to adjust the excess amount of Rs.12/- in the subsequent bills as assured and intimate the Complainant accordingly.
- ii. Thus, the complaint is allowed.
- iii. The Complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF Order by the Licensee, may make an Appeal in prescribed Annexure-IV to the Electricity Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Road, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015; Phone 0124-4684708; email ombudsman.jercuts@gov.in within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 4th day of January, 2023

Sd/-

Sd/-

Sd/-

(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

(A.S. JITENDRA RAO)
LICENSEE MEMBER

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Dated at Puducherry on this the 4th day of January, 2023

Sd/-

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(R. KRISHNAMURTHY)
JERC NOMINATED MEMBER

(A.S. JITENDRA RAO)
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